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PATENT

Attorney Docket No. IBM/151  
Confirmation No. 1431

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert Miller Art Unit: 2157  
Serial No.: 09/732,189 Examiner: Hussein A. El-chanti  
Filed: December 7, 2000 Atty. Docket No.: IBM/151  
For: PEER PROTOCOL STATUS QUERY IN CLUSTERED COMPUTER SYSTEM

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM  
THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Applicants hereby appeal to the Board of Appeals from the decision of the Primary Examiner mailed September 20, 2005 finally rejecting claims 1-26.

The item(s) checked below are appropriate:

1. ☐ Applicants hereby petition for a        month extension of time to reply to the final rejection.  
A check in the amount of \$        is attached.
2. ☒ Appeal Fee: XXX Other than a small entity Fee: \$500.00  
Small Entity Status previously Fee: \$         
Requested and is still proper  
Small Entity Status Requested Fee: \$
3. ☒ Payment        Check attached for the sum of \$       .  
XXX Please charge the sum of \$500.00 and any deficiency or credit  
any overpayment to Deposit Account No. 23-3000.

Respectfully submitted,

Wood, Herron & Evans, L.L.P.  
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By: Scott A. Stinebruner  
Reg. No. 38,323

Date: 15 DEC 2005

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence and the enclosures noted herein (13 total pages, including cover sheet) are being transmitted via facsimile transmission to Examiner Hussein A. El-chanti, Art Unit 2157, Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 at 571-273-8300 on December 15, 2005.

Judith L. Walker December 15, 2005  
Date

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Reply to Final Office Action of 09/20/2005  
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WH&E IBM/151  
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